

### **REMARKS**

Claims 1-7, 9, 11-20, 22, 23, 25, 26, 28, and 31-39 are currently pending in the subject application and are presently under consideration. Claims 1, 13, 18, 20, 23, 28 have been currently amended while claims 8, 10, 21, 24, 27, 29 and 30 have been canceled as shown on pages 3-8 of the Reply. In addition, the specification has been amended as indicated on page 2.

Applicants' representative thanks the Examiner for the teleconference of July 6, 2007. The merits of the claims vis-à-vis the cited references and rejections under 35 U.S.C. §101 were discussed.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

#### **I. Rejection of Claims 1-22 Under 35 U.S.C. §101**

Claims 1-22 stand rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Withdrawal of this rejection is requested for at least the following reasons. Claims 1, 13 and 20 have been amended to recite that they comprise computer executable components stored in computer memory. Hence, these claims recite functional descriptive material within a computer, thereby rendering them structurally and functionally interrelated to the computer and are therefore directed to statutory subject matter.

#### **II. Rejection of Claims 1-22 Under 35 U.S.C. §101**

Claims 1-22 stand rejected under 35 U.S.C. §101 because the claimed invention is not supported by either an asserted utility or a well established utility. Withdrawal of this rejection is requested for at least the following reasons. The subject claims produce a useful, concrete and tangible result.

In particular, the claims are directed towards a system that facilitates building an application within a framework that comprises classes needed on everyday basis mixed with other classes that are often unused. Hence, it comprises an exposor component that creates a useful result namely, a namespace comprising one or more group classes made up of members selected from the source code. An identification component locates the members within the source code and signals a compiler to compile the members into one or more group classes. Hence, a namespace comprising the one or more group classes that are often used in developing

a particular application is created. This facilitates easier application development since it mitigates the need for application developer to look for a class associated with a task within a large number of classes that make up the framework. From the foregoing it is apparent that the system recited in the claims produces a useful, concrete and tangible result. Therefore, this rejection should be withdrawn.

### **III. Rejection of Claims 1-22 Under 35 U.S.C §112**

Claims 1-22 stand rejected under 35 U.S.C §112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. As stated supra, the subject claims recite a system that creates a namespace of one or more group classes that comprise members identified from the source code. This facilitates easier application development since it mitigates a need for the user to search through all the various classes of a framework to discover a class that is associated with a specified task. Hence, it is clear that the system produces a useful result. Therefore, this rejection should be withdrawn.

### **IV. Rejection of Claim 10 Under 35 U.S.C. §101**

Claim 10 stands rejected under 35 U.S.C. §101 because the claimed invention is not supported by either a asserted utility or a well established utility. Withdrawal of this rejection is requested in view of cancellation of this claim.

### **V. Rejection of Claims 1-12 Under 35 U.S.C. §102(e)**

Claims 1-12 stand rejected under 35 U.S.C. §102(e) as being anticipated by Tanner, *et al.* (US 2002/0038451 A1). This rejection should be withdrawn for at least the following reasons. Tanner, *et al.* does not disclose or suggest each and every limitation set forth in the subject claims.

*A single prior art reference* anticipates a patent claim only if it ***expressly or inherently describes each and every limitation set forth in the patent claim.*** *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaa Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

The *identical invention must be shown in as complete detail as is contained in the ... claim*. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

Applicants' subject claims relate to a system that facilitates building an application within a development framework by providing easier access to commonly-used classes. It comprises an exposor component that facilitates creation of a namespace that provides hierarchical access to instances of classes that are more often used as compared to other classes within the framework in which the application is developed. Accordingly, independent claim 1 recites: *the exposor component further comprising an identifier component that identifies from source code one or more members of at least a group class and a compiler that compiles the one or more members into the at least one group class thus creating a namespace that provides access to one or more classes that are used more frequently than other classes*. Tanner, *et al.* does not teach or suggest such novel aspects.

Tanner, *et al.* relates to leveraging independent innovation in entertainment content and graphics hardware. Accordingly, a Graphical Application Platform (GAP) is presented which includes an application real-time kernel (ARK) and components containing executable blocks of logic (See Tanner, *et al.* paragraph [0025]). However, nowhere does Tanner, *et al.* disclose or suggest facilitating easier application development by identifying from source code, members belonging to a group and compiling them into a group class in order to provide a developer with a namespace that includes one or more such groups. In employing such novel aspects, the subject claims mitigate the need for a developer to search through the framework for classes that pertain to a specific task. This is because the identification component in conjunction with the compiler produces a namespace of one or more group classes that are more often used in the source code as compared to other classes from the framework.

In view of at least the following it is clear that an identical invention as recited in the subject claims is not taught or suggested by Tanner, *et al.* Hence, withdrawal of this rejection is respectfully requested.

## **VI. Rejection of Claims 13-22, and 30-39 Under 35 U.S.C. §103(a)**

Claims 13-22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tanner, *et al.* in view of Burd, *et al.* (US 6,961,750 B1). Regarding rejection of claims 30-39, it is

indicated that these claims are rejected over Tanner, *et al.* in view of Goodwin, *et al.* (US 6,199,195). However, the detailed rejections of claims 32-39 recite sections from Burd, *et al.* without any reference to Goodwin, *et al.* (See pages 8-9 of the subject Office Action). Hence, it is presumed that the Examiner intended these claims to be rejected over Tanner, *et al.* in view of Burd, *et al.* Withdrawal of this rejection is requested for at least the following reasons. The cited documents either alone or in combination fail to teach or suggest all features of the claimed invention.

To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) ***must teach or suggest all the claim limitations***. See MPEP §706.02(j). The ***teaching or suggestion to make the claimed combination*** and the reasonable expectation of success ***must both be found in the prior art and not based on applicant's disclosure***. See *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) (emphasis added).

The claimed subject matter aims at easing the task of application development by providing quicker access to classes from a framework that are more often used as compared to other classes within the framework. This is achieved by creating a namespace of one or more group classes that comprise members identified from source code as belonging to one of the group classes and compiling them to form such classes. To this end independent claims 13, 18 20 and 31 recite similar features namely: ***an identification component that receives search information related to class information of at least a class to be identified, which identification component signals the compiler to search the code based on the search information and tag the class information to dynamically generate the class comprising one or more members identified from source code hence providing hierarchical access to instances of classes that are used more frequently than other classes***. Tanner, *et al.* and Burd, *et al.* alone or in combination fail to teach or suggest such novel aspects.

As stated on page 6 of the subject Office Action, Tanner, *et al.* fails to teach or suggest an

identification component that signals the compiler to search the code and tag class information as recited in the subject claims. Burd, *et al.* fails to make up for this deficiency. Burd, *et al.* relates to a server-side control object that processes and generates a client-side user interface element for display on a web page. At the cited portion, Burd, *et al.* teaches a HTML tag which indicates code to be run on the server (*See* Burd, *et al.* col.10 line 8). Accordingly, the <script> tag specifies an optional attribute namely “src” file, which is an external file from which code is inserted into the dynamic content resource for processing by the page compiler (*See* Burd, *et al.* col.10 lines 26-29). However, such compiler processing wherein code from a file is inserted into HTML script is different from the compiler action recited in the subject claims which locates members of a class within source code to dynamically generate the class. According to the subject claims, an identification component receives search information related to a class within source code and signals a compiler to search the source code based on such search information. The class information located within the source code is tagged and is employed to dynamically generate the class from members of the class identified within the source code. Such novel aspects enable the subject claims to provide quicker access to classes used more frequently as compared to other classes of a framework.

In view of at least the foregoing, it is clear that the cited documents alone or in combination fail to teach or suggest all aspects recited in the subject claims. Therefore, withdrawal of this rejection is requested with respect to independent claims 13, 18 20, 30 and all the claims that depend there from.

## **VII. Rejection of Claims 23-29 Under 35 U.S.C. §103(a)**

Claims 23-29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tanner, *et al.* in view of Goodwin, *et al.* (US 6,199,195). Withdrawal of this rejection is requested for at least the following reasons. The cited documents either alone or in combination fail to teach or suggest all features of the claimed invention.

To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary

skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) ***must teach or suggest all the claim limitations***. See MPEP §706.02(j). The ***teaching or suggestion to make the claimed combination*** and the reasonable expectation of success ***must both be found in the prior art and not based on applicant's disclosure***. See *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) (emphasis added).

The claimed subject matter generally relates to an application development framework, and more particularly, to a framework that provides an access point to commonly used building blocks. To this end, independent claims 23 and 28 recite similar features namely: ***searching the source code for one or more of the objects; collecting the one or more objects that are found; and compiling the one or more objects that are associated with a given property, into the class***. Tanner, *et al.* and Goodwin, *et al.* alone or in combination fail to teach or suggest such novel aspects.

As stated on page 7 of the subject Office Action, Tanner, *et al.* fails to teach or suggest searching the source code for a class of objects that are associated with a property, identifying the objects and compiling the objects into a class. The secondary document Goodwin, *et al.* does not make up for such deficiencies of Tanner, *et al.* Goodwin, *et al.* relates to automatically generated source code objects within extensible object frameworks and links to enterprise resources. At the cited portions, Goodwin, *et al.* teaches objects that map to data resources within an enterprise and allow clients to query against these objects, and at runtime, *to have results returned as objects*. Hence, Goodwin, *et al.* teaches querying objects and having the results of the query returned as objects (See Goodwin, *et al.* col.7 lines 46-50). This is different from the subject claims which allow objects that are associated with a specific property within source code to be identified and compiled into a class. Hence, unlike Goodwin, *et al.* which queries data sources by employing objects, the claimed subject matter pertains to querying the source code for objects belonging to a class. This facilitates a developer of an application to easily locate frequently used classes within a framework since such classes are compiled into separate group classes and provided in a namespace.

In view of at least the aforementioned, it can be concluded that the cited documents fail to teach or suggest all aspects recited in the subject claims. Hence, withdrawal of this rejection

is respectfully requested.

**CONCLUSION**

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP580US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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